

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RITE AID OF NY, INC.,

Petitioner,

– *against* –

1199 SEIU UNITED HEALTHCARE  
WORKERS EAST,

Respondent.

1199 SEIU UNITED  
HEALTHCARE WORKERS EAST,

Petitioner,

– *against* –

RITE AID OF NEW YORK, INC.,

Respondent.

**ORDER**

16 Civ. 1821 (ER)

16 Civ. 10040 (ER)

RAMOS, D.J.:

On September 29, 2016, Rite Aid filed a notice of appeal in 16 Civ. 1821 from this Court's Opinion and Order of September 1, 2016. Doc. 38.<sup>1</sup> On October 3, 2016, the Court stayed its consideration of the fee application of United Healthcare Workers East pending that appeal. Doc. 41. On January 11, 2017, this Court stayed two related actions pending the determination of that appeal: 16 Civ. 8646 and 16 Civ. 10040. The Second Circuit affirmed the Court's Order of September 2016 in a Mandate received by the Court on September 14, 2017. Doc. 43. On April 22, 2020, the parties stipulated to the

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<sup>1</sup> All references are to the docket of 16 Civ. 1821, unless otherwise noted.

dismissal of one of the related actions. 16 Civ. 8646, Doc. 15. Two related cases, 16 Civ. 1821 and 16 Civ. 10040, remain open.

Accordingly, the parties are directed to file a joint status report in both 16 Civ. 8646 and 16 Civ. 10040 by November 1, 2020. Failure to comply with this order may lead to sanctions up to and including dismissal for failure to prosecute. Fed. R. Civ. P. 41(b).

It is SO ORDERED.

Dated: October 2, 2020  
New York, New York



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EDGARDO RAMOS, U.S.D.J.